

REMARKS

The Office Action dated October 24, 2007, has been received and carefully reviewed. The preceding amendments and following remarks form a full and complete response thereto. Claims 1 and 2 have been amended and no new matter has been added. Accordingly, claims 1-19 are pending in this application and are submitted for consideration. Applicants respectfully request reconsideration of the subject application in view of the foregoing amendments and the following remarks.

Claim Rejections Under 35 U.S.C. § 112

Claims 2, 3, 4, 8-11, 13-16, and 19 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office has indicated that Claim 2's recitation of "the friction device" in line 5 has insufficient antecedent basis. Applicants have amended claim 2 to replace "the friction device" with "the retaining device." Applicants submit that this amendment obviates the rejection of claim 2 and of claims 3, 4, 8-11, 13-16, and 19 depending therefrom. Accordingly, Applicants respectfully request the withdrawal of the rejection of those claims under 35 U.S.C. § 112, second paragraph.

Claim Rejections under 35 U.S.C. § 102

Claims 1-19 were rejected under 35 U.S.C. § 102(b) as being anticipated by DE 100 08 135 A1 ("DE '135"). Applicants respectfully traverse the rejection on the basis that claims 1-19 recite subject matter not disclosed by DE '135.

Both the present application and DE '135 are directed to friction singlers for singling sheet-shaped documents. Both comprise a sheet magazine (*see* DE '135 at Fig. 1a, item 5; Present Application at Fig. 1, item 16), a picking device with a singler element (*see e.g.*, DE '135 at Fig. 1b, item 2; Present Application at Fig. 3, item 1), and a retaining device. The invention of the present application, however, seeks to overcome a problem associated with the friction singler disclosed in DE '135 by reducing the problem of skewing of the sheet material during singling, in particular when the friction singler is used as a longitudinal singler. *See* Present Application at ¶ [0010]. The improvement of the present invention over the disclosure of DE '135 is best described with reference to Figs. 4A and 4B of the Present Application, which are provided below modified so that grooves 2 are relabeled grooves 2a and 2b.

FIG 4A

Prior Art

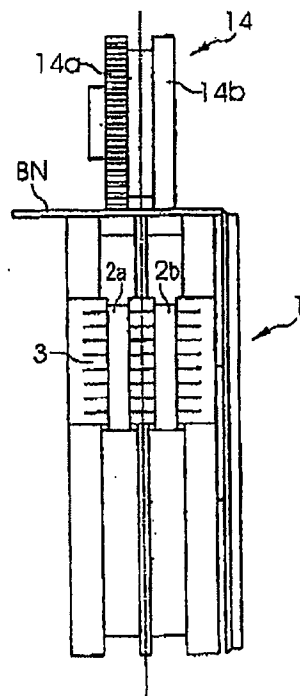


FIG 4B

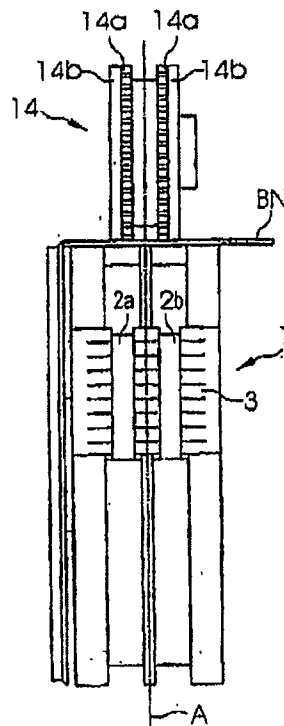


Fig. 4A depicts friction singler of DE '135 and Fig. 4B depicts a friction singler according to one embodiment of the present invention. As can be seen in Fig. 4A, retaining roller 14 comprises essentially two halves: a single friction area 14a and a single sliding area 14b. Grooves 2a and 2b cooperate with either the friction area or the sliding area. In particular, groove 2a cooperates with friction area 14a and groove 2b cooperates with sliding area 14b. In the present invention, the retaining roller 14 also comprises two halves, as shown in Fig. 4B. However, the two halves of Fig. 4B each have a friction area 14a and a sliding area 14b. Accordingly, each of the grooves 2a and 2b of Fig. 4B cooperates with both a friction area 14a and a sliding area 14b. Thus, as can be seen from the side-by-side comparison of Figs. 4A and 4B, DE '135 discloses a friction singler where grooves 2a and 2b each cooperate with either a friction area 14a or a sliding area 14b whereas the invention of the present application requires that grooves 2a and 2b cooperate with both a friction area 14a and a sliding area 14b.

Among other things, amended claim 1 recites a friction singler "characterized in that each groove (2) of the singler element (1) cooperates both with a friction area (14a) and with a sliding area (14b) of the retaining device 14." As stated above, this feature is not disclosed in DE '135.

Since DE '135 fails to disclose each and every element of claim 1, Applicants submit that claim 1 is allowable over DE '135. Claims 2-19 depend from claim 1 and are therefore allowable over DE '135 for the reasons set forth above in connection with claim 1, as well as for the additional subject matter recited therein. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 1-19.

CONCLUSION

In view of the above, all objections and rejections have been sufficiently addressed.


Applicants submit that the application is now in condition for allowance and request that claims 1-19 be allowed and this application passed to issue.

In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account No. 02-2135.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

Respectfully submitted,

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